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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/502,141	07/20/2004	Johannis Friso Rendert Blacquiere	NL 020048	3381

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EXAMINER

RIZK, SAMIR WADIE

ART UNIT	PAPER NUMBER
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2133

DATE MAILED: 02/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/502,141		BLACQUIERE ET AL.	
	Examiner		Art Unit	
	Sam Rizk		2133	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/20/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTIONS

- Claims 1-10 have been submitted for examination
- Claims 1-10 have been rejected

Claim Objections

1. Claims 9 and 10 are objected to under 37 CFR 1.75(c), as being of improper dependent form for **failing to further limit the subject matter of a previous claim**. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. **Accordingly, the claims 9 and 10 are not been further treated on the merits.**
2. Claims 6-10 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claims 2-5. See MPEP § 608.01(n). Accordingly, **the claims 6-10 are not been further treated on the merits.**
3. Delete all reference characters from the claim language. This objection to the claims will not be held in abeyance.

Drawings

4. The drawings are objected to under 37 CFR 1.83(a) because they fail to show **the details and description in each block in figures 1-4**, as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification Objection

5. The specifications is objected to because of the following informalities:

Improper layout of the specification. This is a problem, that is, examiner doesn't know what the applicant consider as prior art and what the applicant has invented and where the Examiner should focus on the search for reference(s).

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The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

The objection to the specification will not be held in abeyance. Corrective action is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1-5 are rejected under 35 U.S.C. 101 because the claim invention is directed to non-statutory subject matter.
7. Claim 1 comprises an abstract method, which is broken up in descriptive terms into a plurality of stages having certain characteristics:
 - A method of performing error correction of stream data on a data medium using an information file, the method comprising the steps of:
 - determining (100) whether an error exists in the stream data on the basis of the information file and the stream data;
 - determining (200) a file offset of the error in the steam data on the basis of the information file and the stream data;
 - determining (300) a size of erroneous data in the stream data on the basis of the information file and the stream data and
 - inserting (400) correction data in the stream data.

There is no practical application being claimed. An abstract steps are non-statutory

8. Claims 2-5 having similar abstract series of steps as per claim1. claims 2-5 are rejected for the same reasons as per claim 1.

A computer program for a receiver comprising a set of instructions for implementing a method as claimed in one of the claims 1 or 2 when said program is executed by a processor.

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

9. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Katsavounidis et al. US publication no. 2005/0105614 (Hereinafter Katsavounidis).

The Examiner notes that Katsavounidis' claims priority of the provisional application no. 60273443, filed on March 5, 2001.

10. In regard to claim 1, Katsavounidis teaches:
- A method of performing error correction of stream data on a data medium using an information file, the method comprising the steps of:

(Note: Section [0074] in Katsavounidis)

- determining whether an error exists in the stream data on the basis of the information file and the stream data;

(Note: Section [0075] and fig. 5 in Katsavounidis)

- determining a file offset of the error in the stream data on the basis of the information file and the stream data;

(Note: section [0076] in Katsavounidis)

- determining a size of erroneous data in the stream data on the basis of the information file and the stream data and

(Note: Section [132] and FIG. 9 in Katsavounidis)

- inserting correction data in the stream data.

(Note: Section [0083] in Katsavounidis)

11. In regard to claim 2, Katsavounidis teaches:

- A method according to claim 1, characterized in that the step of determining whether an error exists in the stream data comprises the steps of:
- determining a first size of the stream data on the basis of the stream data;
- determining a second size from the information file; and
- determining the error, when the first and second sizes are not equal.

(Note: section [0154] in Katsavounidis)

12. In regard to claim 3, Katsavounidis teaches:

- A method according to claim 1, characterized in that the step of determining the file offset of the error in the stream data comprises the steps of
- determining a clock reference or a characteristic point in the information file; and
- looking up the file offset in the information file on the basis of the determined clock reference or the determined characteristic point.

(Note: Section [0084] in Katsavounidis)

13. In regard to claim 4, Katsavounidis teaches:

- A method according to claim 1, characterized in that the step of determining the size of erroneous data in the stream data comprises the steps of A determining (301) a pair of clock references in the information file;
- looking up (302) a pair of file offsets in the information file on the basis of the determined pair of clock references; and
- determining (303) the size of erroneous data on the basis of the combination of the pair of file offsets looked-up and the determined pair of clock references;

(Note: Section [0084], lines (7 and) in Katsavounidis)

14. In regard to claim 5, Katsavounidis teaches:

- A method according to claim 1, characterized in that the step of inserting correction data in the stream data comprises the step of;

- inserting data content of a predetermined type having the determined size at the determined file offset; or
- inserting a flag at the determined file offset; or
- inserting dummy data at the determined file offset.

(Note: Section [0079] in Katsavounidis)

15. Claim 11 is rejected for the same reasons as per claim 1.
16. Claim 12 is rejected for the same reasons as per claim 2.
17. Claim 13 is rejected for the same reasons as per claim 3.
18. Claim 14 is rejected for the same reasons as per claim 4.
19. Claim 15 is rejected for the same reasons as per claim 5.

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - Katsavounidis et al. US publication no. 2005/0149831, teaches system and methods for decoding of partially corrupted reversible variable length code (RVLC) intra-coded macroblocks and partial blocks decoding of corrupted macroblocks in a video decoder.
 - Chen et al. US publication no. 2001/0026677 teaches methods and apparatus for transcoding progressive I-slice refreshed MPEG data streams to enable trick play features on a television appliances.

- Kingsley US patent no. 6961377 teaches transcoder system for compressed digital video bitstreams.
- Saeijs et al. US publication no. 2003/0219038 teaches recording and producing an MPEG information signal on/from a record carrier.
- Ando et al US patent no. 6978083, teaches stream data generation method and partial erase processing method.
- Ando et al. US publication no. 2005/0259954 teaches stream data generation method and partial erase processing method.
- Chung et al. US publication no. 2004/0136290 teaches recording medium for storing real time recording/reproduction information, method and apparatus for recording and reproducing in real time and file operating system.
- Kim et al. US publication no. 2005/0254584 teaches systems and methods for enhanced error concealment in a video decoder.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Rizk whose telephone number is (571) 272-8191. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronics Business Center (EBC) at 866-217-9197 (toll-free)

Sam Rizk, MSEE, ABD

Examiner

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Handwritten signature: Cynthia Britt
Handwritten date: 2/17/06